

From: dcjohan@patriot.net@inetgw
To: Microsoft ATR
Date: 1/23/02 6:48pm
Subject: Microsoft Settlement

I am writing to state my absolute dismay at the proposed settlement in the Microsoft anti-trust case. As it stands, not only does Microsoft avoid any penalty of any kind, but the company gains an even greater stranglehold on the computing world. A company who uses its extreme wealth and apparent political advantage to destroy anything that does not represent a direct profit for itself, and a company which is in apparent violation of investment laws in addition to that with which it has already been found guilty, is now about to be handed over the keys to the world wide web of which it has contributed absolutely nothing but now desires to control.

The biggest competitor to Microsoft Internet Information Server is Apache, which comes from the Apache Foundation, a not-for-profit. Apache practically rules the Net, along with Sendmail, and Perl, both of which also come from non-profits. Yet not-for-profit organizations have no rights at all under the proposed settlement. It is as though they don't even exist.

Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "... (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ..."

Were it not for the not-for-profit, i.e. open source community, there would not be a world wide web as we know it today. All of the commerce we so fully enjoy would not be available today. Yet we do enjoy what the www can provide and all this was done without the predatory manipulations. Now, as a penalty for its behavior, the courts are proposing to not only do nothing to stop the predatory practices of Microsoft, but to literally hand over the potential to totally manipulate the web for their own benefit. Absolutely unbelievable!!

Please carefully reconsider the proposed "remedies" in the case, stop the current proposal, and return to the drawing board to construct a truly fair penalty for Microsoft, one that benefits the tens of thousands who have been harmed by the Microsoft predatory practices and one that truly penalizes Microsoft for its continued predatory behavior!

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